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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91194188
Party	Defendant Sprinkles Cupcakes, Inc.
Correspondence Address	JOHN J SLAFSKY WILSON SONSINI GOODRICH & ROSATI 650 PAGE MILL ROAD PALO ALTO, CA 94304-1050 UNITED STATES trademarks@wsgr.com
Submission	Stipulated/Consent Motion to Extend
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Date	09/01/2011
Attachments	Consent Motion to Extend Time.pdf (3 pages)(77966 bytes)

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SOFT SERVE, INC. d/b/a SPRINKLES,)	Opposition No. 91194188 (Parent)
)	Opposition No. 91195669
)	Opposition No. 91195985
Opposer/Plaintiff,)	Opposition No. 91195986
)	Opposition No. 91196035
v.)	Opposition No. 91196061
)	Opposition No. 91196087
SPRINKLES CUPCAKES, INC.,)	Cancellation No. 92053109
)	
Applicant/Defendant.)	
)	

CONSENT MOTION TO EXTEND TIME

Pursuant to Trademark Trial and Appeal Board Manual of Procedure (“TBMP”) § 509.01(a), Applicant/Defendant Sprinkles Cupcakes, Inc. (Sprinkles”), by and through its undersigned counsel, hereby requests an extension of time until September 29, 2011 to oppose the Motion for Summary Judgment served by Opposer Soft Serve, Inc. d/b/a/ Sprinkles (“Soft Serve”). Soft Serve’s counsel consented to this extension via an e-mail message dated August 30, 2011.

Good cause exists for this request given that (i) the Summary Judgment Motion was served at and around times when Sprinkles’ attorneys were on vacation and (ii) Sprinkles’ lead counsel has been out of state addressing a sensitive family matter.

Sprinkles intends to file a motion pursuant to Fed. R. Civ. P. 56(d) within 30 days of service of the Summary Judgment Motion. Sprinkles will seek reasonable time periods for (i) discovery and (ii) subsequent opposition to the Summary Judgment Motion. As necessary, insofar as the Rule 56(d) issues remain unresolved, and the Board nonetheless expects opposition

to the Summary Judgment Motion, then Sprinkles will file papers opposing the Summary Judgment Motion in the weeks ahead. Sprinkles requests additional time for this opposition, if any.

Dated: September 1, 2011

Respectfully submitted,

WILSON SONSINI GOODRICH & ROSATI

By: /s/ John L. Slafsky
John L. Slafsky
Hollis Beth Hire

Attorneys for Applicant
SPRINKLES CUPCAKES, INC.

Please address all communications concerning this proceeding to:

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CERTIFICATE OF SERVICE BY MAIL

I, Elvira Minjarez, declare:

I am employed in Santa Clara County. I am over the age of 18 years and not a party to the within action. My business address is Wilson Sonsini Goodrich & Rosati, 650 Page Mill Road, Palo Alto, California 94304-1050.

I am readily familiar with Wilson Sonsini Goodrich & Rosati's practice for collection and processing of correspondence for mailing with the United States Postal Service. In the ordinary course of business, correspondence would be deposited with the United States Postal Service on this date.

On this date, I served:

CONSENT MOTION TO EXTEND TIME

on each person listed below, by placing the document described above in an envelope addressed as indicated below, which I sealed. I placed the envelope for collection and mailing with the United States Postal Service on this day, following ordinary business practices at Wilson Sonsini Goodrich & Rosati.

Thomas J. Vande Sande
Hall & Vande Sande, LLC
10220 River Road, Suite 200
Potomac, Maryland 20854

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed at Palo Alto, California on September 1, 2011.

/s/ Elvira Minjarez

Elvira Minjarez